

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DISPLAY TECHNOLOGIES, LLC,

Plaintiff,

v.

ROCHE DIABETES CARE, LTD.,

Defendant.

Case No. 2:23-cv-00585-JRG-RSP

PATENT CASE

JURY TRIAL DEMANDED

**SUPPLEMENTAL NOTICE OF NON-OPPOSITION TO DEFENDANT
ROCHE DIABETES CARE LIMITED’S MOTION TO DISMISS**

Pursuant to Local Rule CV-7(e), Roche Diabetes Care Limited (“RDC Limited”) submits this supplemental notice of non-opposition regarding its pending Motion to Dismiss for Lack of Personal Jurisdiction, which was filed on May 8, 2024. *See* Dkt. No. 21. Plaintiff’s response was due May 23, 2024, but no response was filed and no extension was requested. Plaintiff has also failed to serve its infringement contentions, which were originally due on May 15, 2024. *See* Dkt. No. 13. RDC Limited agreed to an extension to June 25, 2024—one week ago—but Plaintiff has still not served its contentions or sought an extension. *See* Dkt. No. 35.

This Court recently granted an unopposed motion in a nearly identical situation. *See Symbology Innovations, LLC v. Roche Diagnostics GMBH Ltd.*, E.D.Tex. 2:23-cv-00630-JRG, Dkt. No. 14 (Gilstrap, J.). In that case, another Roche entity filed a similar Motion to Dismiss based on lack of personal jurisdiction, and the motion went unopposed by counsel for Plaintiff. *Id.* The Court thus found “that it ha[d] little alternative but to grant the Motion” and dismissed the case with prejudice. *Id.*

RDC Limited thus respectfully requests the Court deem its Motion unopposed and dismiss this case with prejudice. *See* Local Rule CV-7(e) (“(e) Time to File Response. A party opposing a motion has fourteen days (twenty-one days for summary judgment motions) from the date the motion was served in which to file a response and any supporting documents, after which the court will consider the submitted motion for decision.”).

Dated: July 2, 2024

Respectfully submitted,

By: /s/ Aaron P. Pirouznia

Terry J. Stalford
Texas Bar No. 24011686
stalford@fr.com
Aaron P. Pirouznia
Texas Bar No. 24098958
pirouznia@fr.com
Noel F. Chakkalakal
Texas Bar No. 24053676
chakkalakal@fr.com
Alexander H. Martin
Texas Bar No. 24091828
martin@fr.com
FISH & RICHARDSON P.C.
1717 Main Street, Suite 5000
Dallas, TX 75201
Telephone: (214) 747-5070

**COUNSEL FOR DEFENDANT
ROCHE DIABETES CARE, LIMITED**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on July 2, 2024, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Aaron P. Pirouznia

Aaron P. Pirouznia